

1 THOMAS E. FRANKOVICH (State Bar #074414)
2 THOMAS E. FRANKOVICH
3 *A PROFESSIONAL LAW CORPORATION*
4 4328 Redwood Hwy, Suite 300
5 San Rafael, CA 94903
6 Telephone: 415/674-8600
7 Facsimile: 415/674-9900

8 Attorneys for Plaintiff
9 LES JANKEY, an individual;

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 LES JANKEY, an individual,) CASE NO. CV-09-2438-CW
13 Plaintiff,)
14 v.)
15 MILANO PIZZA; JOHN VOZAITIS and)
16 DENISE VOZAITIS, TRUSTEES OF THE)
17 JOHN and DENISE VOZAITIS)
18 REVOCABLE LIVING TRUST dated)
19 DECEMBER 20, 2007; and DENNIS)
20 VOZAITIS, an individual dba MILANO)
21 PIZZA,)
22 Defendants.)

23 The parties, by and through their respective counsel, stipulate to dismissal of this action in
24 its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the
25 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own
costs and attorneys’ fees. The parties further consent to and request that the Court retain
jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S.
375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement
agreements).

26 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
27 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice
28 ///

STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

2 This stipulation may be executed in counterparts, all of which together shall constitute one
3 original document.

4
5 Dated: October 21, 2010

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

6
7 By: _____ /S/ Thomas E. Frankovich

8 Thomas E. Frankovich
9 Attorney for LES JANKEY, an individual

10
11 Dated: _____, 2010

BRAVO & MARGULIES

12
13
14 By: _____
15 Joseph K. Bravo, Esq.

16 Attorneys for JOHN VOZAITIS and DENISE
17 VOZAITIS, TRUSTEES OF THE JOHN and
18 DENISE VOZAITIS REVOCABLE LIVING
19 TRUST dated DECEMBER 20, 2007; and DENNIS
20 VOZAITIS

21
22
23
24
25
26 **ORDER**

27 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
28 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
purpose of enforcing the parties' Settlement Agreement and General Release should such
enforcement be necessary.

Dated: _____, 2010

Honorable Judge Claudia Wilkin
UNITED STATE DISTRICT JUDGE

STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

2 This stipulation may be executed in counterparts, all of which together shall constitute one
3 original document.

4

5 Dated: _____, 2010

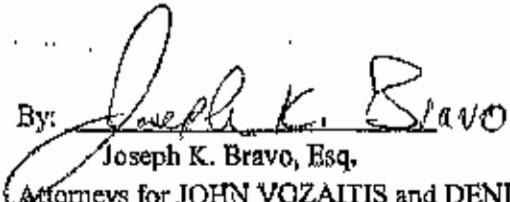
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

By: _____
Thomas E. Frankovich
Attorney for LES JANKEY, an individual

Dated: October 21, 2010

BRAVO & MARGULIES

By: 
Joseph K. Bravo, Esq.

Attorneys for JOHN VOZAITIS and DENISE
VOZAITIS, TRUSTEES OF THE JOHN and
DENISE VOZAITIS REVOCABLE LIVING
TRUST dated DECEMBER 20, 2007; and DENNIS
VOZAITIS

ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
purpose of enforcing the parties' Settlement Agreement and General Release should such
enforcement be necessary.

Dated: _____, 2010

Honorable Judge Claudia Wilkin
UNITED STATE DISTRICT JUDGE

STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON